

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/667,856 Confirmation No. 1369

Applicant : Courtney and Laughlin

Filed : September 22, 2003

TC/A.U. : 1617

Examiner : Travers, Russell S.

Docket No. : IN01630

Customer No. : 24265

May 5, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

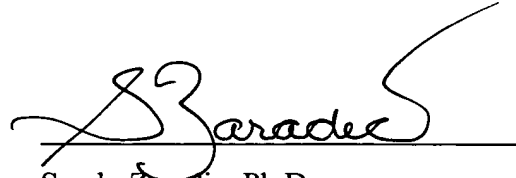
Applicants respectfully request that the documents listed on the accompanying form PTO-1449 be considered and made of record in the above-identified application. These references were cited in Applicants' corresponding PCT application as evidenced in the attached International Search Report. Copies of the documents that listed in the International Search Report are attached herein.

Applicant's submission of this Information Disclosure Statement is not an admission that any reference cited herein qualifies as prior art.

- 2 -

This Information Disclosure Statement is being submitted prior to receipt of the first Office Action. As such, no fee is required for the filing of this document.

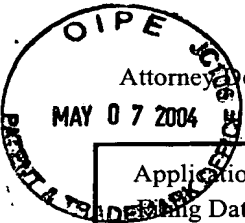
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Zaradic', is written over a horizontal line.

SCHERING-PLOUGH CORPORATION
Patent Department, K-6-1, 1990
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530

Sandy Zaradic, Ph.D.
Reg. No. 45,997
Patent Agent for Applicants
(908) 298-7221

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: IN01630		SERIAL NO.: 10/667,856	
INFORMATION DISCLOSURE STATEMENT FOR PATENT (Use several sheets if necessary)				APPLICANT: Courtney and Laughlin			
				FILING DATE: September 22, 2003		GROUP: 1617	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
AA	Ezzet <i>et al.</i> , "The pharmacokinetics of posaconazole in neutropenic oncology patients," <i>Abstract from the 41st Annual Meeting of the Interscience Conference on Antimicrobial Agents and Chemotherapy; Chicago, Illinois, USA; September 22-25, 2001, 41:4</i> (2001).						
AB	Mellinghoff <i>et al.</i> , "Use of posaconazole (SCH56592) for treatment of invasive fungal infections refractory to standard antifungal therapy" (Abstract from the 42 nd Annual Meeting of the American Society of Hematology; San Francisco, California, USA; December 01-05, 2000), <i>Blood, 96(11 Part 2):341b</i> (2000).						
AC	Skiest <i>et al.</i> , "Treatment of azole-refractory candidiasis in HIV disease," <i>Abstract from the 39th Annual Meeting of the Interscience Conference on Antimicrobial Agents and Chemotherapy; San Francisco, California, USA; September 26-29, 1999, 39:489</i> (1999).						
AD	Petratiene <i>et al.</i> , "Correlation between serum galactomannan concentrations and antifungal efficacy of posaconazole (SCH 56592) in treatment and prevention of invasive pulmonary aspergillosis in persistently neutropenic rabbits," <i>Abstract from the 40th Annual Meeting of the Interscience Conference on Antimicrobial Agents and Chemotherapy; Toronto, Ontario, Canada; September 17-20, 2000, 40:380-381</i> (2000).						
AE	Connolly <i>et al.</i> , "Comparison of a new triazole, posaconazole, with itraconazole and amphotericin B for treatment of histoplasmosis following pulmonary challenge in immunocompromised mice," <i>Antimicrobial Agents and Chemotherapy, 44(10):2604-2608</i> (2000).						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



Attorney Docket No.: IN01630

PTO/SB/92 (08-03)

(Modified)

Application No.: 10/667,856

Filing Date: 9/22/2003

Applicant: Courtney and Laughlin

Title: Treating Fungal Infection

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on May 5, 2004
Date


Signature

SANDY ZARADIC, Reg. No. 45,997

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Documents enclosed:

Information Disclosure Statement - 4 pages

PTO Form 1449 - 1 page

References - 5

Certificate of Mailing - 1 page

Return Postcard

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.